



## Five Arrested in Tri-County Motorcycle Theft Ring



Joshua Alvarez, Zachary Benning, Adam Wareham, Michael Flament and David Grillo were arrested on December 10-15, 2009, in Washington County on charges of operating a motorcycle theft ring.

According to the Criminal Complaint, the group stole, stripped and sold approximately \$80,000 worth of motorcycles and ATV's in Allegheny, Washington and Westmoreland Counties. Members of the group also allegedly staged vehicle thefts for the purpose of filing fraudulent insurance claims.

Joshua Alvarez and Zachary Benning have been charged with one count of Corrupt Organizations (F1), six counts of Theft by Unlawful Taking (F3), two counts of Conspiracy (F3 & F2) and four counts of Burglary (F2). Adam Wareham has been charged with one count of Corrupt Organizations (F1), four counts of Receiving Stolen Property (F3), one count of Conspiracy (F3), one count of Insurance Fraud (F3) and one count of Theft by Deception (F3). Michael Flament has been charged with two counts of Receiving Stolen Property (F3), one count of Conspiracy (F3), two counts of Insurance Fraud (F3), one count of Criminal Attempt (F3) and one count of False Reports to Law Enforcement Authorities (M3). David Grillo has been charged with one count each of Receiving Stolen Property (F3) and Conspiracy (F3).

## Woman Arrested in \$130,000 Insurance Fraud Case



Mary Lowden was arrested in Westmoreland County on December 15, 2009. According to the Criminal Complaint, Lowden provided home health care services for Donna Buffalini, the semi-comatose daughter of Rose Marie Buffalini. These services were paid by the State Farm Insurance Company. Lowden would submit time sheets to State Farm Insurance. The Complaint alleges that Lowden submitted time sheets to State Farm between June 2003 and January 2009, and inflated the number of hours that she worked, and she continued to submit time sheets after her services were terminated. Based upon records of hours worked maintained by Rose Buffalini, and the time sheets submitted by Lowden, State Farm paid Lowden \$130,000 to which she was not entitled. Mary Lowden has been charged with one count of Insurance Fraud (F3) and one count of Theft by Deception (F3).

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## ARRESTS

Insurance Fraud

- On December 22, 2009, John Gyergyo was arrested in Westmoreland County. According to the Criminal Complaint, Gyergyo's girlfriend filed an insurance claim with the Allstate Insurance Company reporting that numerous items were taken from a barn located on her property including kitchen cabinets, stain glass windows and numerous tools. The majority of the tools belonged to her live-in boyfriend, Gyergyo. In support of the claim, Gyergyo's girlfriend provided a receipt from Greenawalt's Furniture as evidence of the purchase of the cabinets. The Complaint alleged that the cabinets had never been purchased and a search of the barn allegedly revealed the stain glass windows and numerous tools matching the description of items reportedly stolen were still stored in the barn. The Complaint further stated that Gyergyo's girlfriend claimed she was told by Gyergyo to place the cabinets and other items on the property inventory. The total amount of the claim exceeded \$40,000. John Gyergyo has been charged with two counts of Insurance Fraud (F3) and one count of Criminal Attempt/Theft by Deception (F3).
- On December 21, 2009, Patrick Nicoloski, Jr. was arrested in Monroe County. According to the Criminal Complaint, Nicolosi filed a disability claim through the Assurity Life Insurance Company for injuries he suffered when he was an EMT at St. Johns Hospital. In support of the claim, Nicolosi sent in forms stating that he was not working, along with multiple forms allegedly signed by his treating physician. The Complaint alleged that Nicolosi was in fact working, almost the entire time in which he was receiving disability checks. Assurity paid out in excess of \$12,000 on this claim and according to the Criminal Complaint, the doctor who allegedly treated Nicolosi confirmed that he had not signed the forms submitted by Nicolosi. Patrick Nicolosi has been charged with one count of Insurance Fraud (F3), one count of Theft by Deception (F3) and one count of Forgery (F3).

- On December 3, 2009, Carolyn Yablon was arrested in Chester County. According to the Criminal Complaint, Yablon filed a homeowner's claim with the Travelers Insurance Company on October 22, 2008, reporting that her \$8,500 diamond and sapphire engagement ring had been stolen. Yablon reported the ring stolen to local police the following day. The Complaint alleged that on March 27, 2006, Yablon had taken the ring to a local jeweler to have the stones re-set into a pendent necklace. Carolyn Yablon has been charged with one count of Insurance Fraud (F3), one count of Criminal Attempt/Theft by Deception (F3) and one count of False Reports to Law Enforcement (M3).
- On December 30, 2009, Rocky Antill and Michelle Yeager were arrested in Allegheny County. According to the Criminal Complaint, Antill received \$5,317.49 in benefits from the Allstate Insurance Company following an automobile accident in May 2009. In July 2009, Antill filed another claim with Allstate alleging that his vehicle had been stolen, wrecked and vandalized. The Complaint further stated that in support of the claim, Antill and Yeager stated that the previous damage to the vehicle had been repaired. The Complaint alleged that the prior damage had never been repaired and that Antill and Yeager attempted to collect twice for the same damage. Rocky Antill and Michelle Yeager have been charged with two counts of Insurance Fraud (F3) and one count of Criminal Attempt/Theft (F3).
- On December 21, 2009, Lisa Pennington was arrested in Blair County. According to the Criminal Complaint, Pennington filed a claim with the Progressive Insurance Company following a motor vehicle accident and was advised that her policy was cancelled for non-payment of the premiums. In support of her claim, Pennington provided a typed letter purportedly drafted by the First National Bank of Altoona advising that electronic transfers had been withdrawn from Pennington's account and transferred to Progressive to pay the premiums that Progressive claimed were not received. According to the Criminal Complaint, First National Bank denied sending the letter. Additionally, the Complaint stated

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that on the same day as the accident, Pennington applied for automobile insurance with the Permanent General Insurance Company and denied any prior accidents on the application. After obtaining coverage with Permanent, Pennington filed a claim and allegedly misrepresented the time of the accident to fall within the newly obtained coverage. Lisa Pennington has been charged with two counts of Insurance Fraud (F3), two counts of Criminal Attempt/Theft (F3), one count of Forgery (M1) and one count of Insurance Fraud (M1).

- On December 28, 2009, Gina Saunders was arrested in Allegheny County. According to the Criminal Complaint, Saunders filed a claim with the Infinity Insurance Company and reported that her Toyota Avalon was damaged during a motor vehicle accident that occurred on January 27, 2009. The Complaint, however, stated that Saunders' Toyota Avalon was stored in an impound lot on January 27<sup>th</sup> because of an accident that occurred on January 26<sup>th</sup>. Furthermore, the Complaint stated that Saunders' automobile policy with Infinity had lapsed because of non-payment prior to the accident. Saunders reinstated the policy and filed the claim allegedly misrepresenting the date of the accident in an attempt to have it fall within the newly obtained coverage period. Gina Saunders has been charged with one count of Insurance Fraud (F3) and one count of Criminal Attempt/Theft by Deception (F3).
- On December 21, 2009, Jeffrey Pellegrino and Christopher Laird were arrested in Cambria County. According to the Criminal Complaint, Laird, an employee of Pellegrino, was a passenger in a vehicle owned by Pellegrino but operated by another employee, when it left the roadway and struck a boulder. Pellegrino only had comprehensive coverage on the vehicle through the Brethren Mutual Insurance Company. The Complaint further stated that Pellegrino, after informed of the accident, allegedly instructed Laird to report to Brethren Mutual that he was the driver of the vehicle and that he struck a deer causing him to leave the roadway and strike a boulder. Furthermore, the Complaint stated that Pellegrino allegedly informed Laird that if he did as instructed, a debt Laird owed to

Pellegrino would be forgiven. The Complaint stated that both Pellegrino and Laird reported to Brethren Mutual this version of the accident. Jeffrey Pellegrino and Christopher Laird have been charged with two counts of Insurance Fraud (F3) and one count of Conspiracy/Theft by Deception (F3) and Pellegrino was also charged with one count of Theft by Deception (F3).

- On December 21, 2009, Thomas Ambrosia was arrested in Adams County. According to the Criminal Complaint, Ambrosia filed an insurance claim for \$10,000 with the Nationwide Insurance Company stating that he slipped and fell in the parking lot of the Sleep Inn in Gettysburg, PA, on December 24, 2008, at 5:30 A.M. and injured his right hand, arm, and elbow, his head and his laptop computer. Furthermore, the Complaint stated that Ambrosia filed a workers' compensation claim for \$5,000 with the Zurich Insurance Company stating that on the 24<sup>th</sup> at 6:45 A.M., he slipped and fell on the icy parking lot of his employer, New Oxford Foods, and injured his right hand, arm, elbow, back, neck and head and also damaged his laptop computer. The Complaint alleged that the slip and fall accidents did not occur. Additionally, the Complaint stated that in April of 2009, Ambrosia also filed a disability claim with the Assurity Life Insurance Company. According to the Criminal Complaint, Ambrosia failed to report to Assurity that he returned to work on September 14, 2009, and collected \$3,000 in disability benefits that he was not entitled to. Thomas Ambrosia has been charged with two counts of Insurance Fraud (F3), two counts of Criminal Attempt/Theft (F3), one count of Theft by Deception (F3) and one count of Workers' Compensation Insurance Fraud (F3).
- On December 10, 2009, Russell Isley was arrested in Nevada on a Philadelphia County warrant and is pending extradition. According to the Criminal Complaint, Isley was involved in an automobile accident and made a lost wage claim with the Geico Insurance Company. Additionally, the Complaint stated that Isley submitted a letter to Geico, purportedly on his employer's letterhead, indicating that he earned \$40/hour and had missed a week of work as a result of the

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accident. However, the Complaint stated that the employer's records indicated that Isley did not miss any work following the accident and that he only earned \$27.33/hour. Furthermore, the Complaint alleged that the letter Isley submitted was forged in that it was not on the employer's actual letterhead and the person who signed the letter was not an employee of Isley's employer. Russell Isley has been charged with one count of Insurance Fraud (F3), one count of Criminal Attempt/Theft (F3) and one count of Forgery (M1).

- On December 22, 2009, Mickey Goehring was arrested in Beaver County. According to the Criminal Complaint, Goehring was involved in an accident and at that time, his insurance was cancelled for non-payment of his premium. After the accident, Goehring called the Progressive Insurance Company and reinstated his policy by making payment over the phone. The Complaint further stated that Goehring called in a claim to Progressive a short time later and reported the accident occurred after his policy was reinstated. Mickey Goehring has been charged with one count of Insurance Fraud (F3) and one count of Criminal Attempt/Theft by Deception (F3).
- On December 22, 2009, Kristy Slappy, Larry Slappy and Barbara Perry were arrested in Beaver County. According to the Criminal Complaint, Kristy was involved in a motor vehicle accident and at that time was an excluded driver under the Progressive policy. Following the accident, Kristy filed a loss report advising the Progressive Insurance Company that her husband, Larry Slappy, and her mother, Barbara Perry, were involved in an accident. The Complaint alleged that Barbara identified herself as the driver and Larry also identified Barbara as the driver; however, the operator of the other vehicle identified Kristy as the driver. Kristy Slappy, Larry Slappy and Barbara Perry have been charged with two counts of Insurance Fraud (F3) and one count of Theft by Deception (F3).
- On December 16, 2009, Anthony Mercadante was arrested in Washington County. According to the Criminal Complaint, between February 6, 2003 and October 3, 2005,

Mercadante, an insurance agent with the Monumental Life Insurance Company, collected insurance premiums for two policies from an individual by the name of Agnes Kisner. Between those dates, Mercadante allegedly failed to remit approximately \$1,652.00 that Kisner provided to Mercadante for payment of premiums on the two policies. Anthony Mercadante has been charged with one count of Theft by Failure to Make Required Disposition of Funds (M1) and one count of Theft by Deception (M1).

- On December 29, 2009, Christopher Miller was arrested in Cambria County. According to the Criminal Complaint, Miller filed four claims with the Nationwide Insurance Company between April 8, 2009 and May 20, 2009, alleging vandalism to his vehicle. Nationwide issued a check for the May 20<sup>th</sup> claim, but Miller alleged that he lost the check. Nationwide subsequently issued a second check in the same amount. The Complaint stated that Miller then cashed both checks. The Complaint further alleged that no vandalism occurred to Miller's vehicle on May 20<sup>th</sup>. Christopher Miller has been charged with one count of Insurance Fraud (F3) and one count of Theft by Deception (M1).
- On December 14, 2009, Charles Carlin and Carlin Messenger Service, LLC were arrested in Missouri on a Dauphin County warrant. According to the Criminal Complaint, between January 19, 2005 and April 15, 2005, Carlin failed to secure workers' compensation insurance coverage for the employees of his business, Carlin Messenger Service, LLC. During that period, one of Carlin's workers was injured while on the job. The Complaint further stated that Carlin has since closed his business and relocated to Missouri. The Complaint alleged that Carlin personally handled all company insurance matters and had secured workers' compensation insurance before and after the 87 day period of non-coverage. Charles Carlin and Carlin Messenger Service have been charged with 87 counts of Failure to Insure Workers' Compensation (F3 & M1).
- On December 29, 2009, Shawn Melendez was arrested in Lehigh County. According to the



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Criminal Complaint, Melendez owned a 2001 Honda Accord which was insured by the State Farm Insurance Company. Beginning in 2009, Melendez submitted three separate claims to State Farm alleging damage to his vehicle. The Complaint alleged that Melendez submitted the same damage to State Farm in each of the three claims and represented that the earlier damage had been repaired. Shawn Melendez has been charged with one count of Insurance Fraud (F3) and one count of Theft by Deception (F3).

- Between December 2-29, 2009, twenty-one individuals were arrested on Dauphin County warrants. Three additional arrest warrants are outstanding. According to the Criminal Complaints, these individuals obtained Pennsylvania driver's licenses and registered their vehicles in Pennsylvania. They also allegedly provided the Pennsylvania addresses to insurance companies when they obtained automobile insurance on their vehicles. The Complaints further stated that these individuals did not reside in Pennsylvania; instead, they lived in either New York or New Jersey. Primarily, they provided false information regarding their address in order to obtain lower rates on their automobile insurance. Furthermore, because they did not live in Pennsylvania, they had also provided false information to PennDOT when they obtained their driver's licenses and vehicle registrations. These individuals have been charged with two counts of Insurance Fraud (F3 & M1) and one count of False Application for Certificate of Title/Registration (M1).



- Kimberly Clark pled guilty to one count of Insurance Fraud (F3), one count of Act 64 Violations (F), one count of Theft by Deception (F3) and one count of Forgery (M1) and also pled guilty in a second case to one count of Insurance Fraud (F3), one count of Act 64 Violations (F), one count of Theft by Deception (F3) and one count of Forgery (M1) in Allegheny County. Clark presented forged prescriptions for the Schedule II controlled substance, Oxycontin and the Schedule III

controlled substance, Vicodin on various dates between February 2006 and October 2007. During this period, Clark worked as a medical assistant and presented the prescriptions to several pharmacies in the Pittsburgh area prepared in the name of the doctor, who did not authorize the issuance of the prescriptions. Clark wrote the prescriptions in her brother's or her husband's name which were then billed to their insurance with UPMC. Additionally, while working as a medical assistant, Clark called in and/or presented forged prescriptions for the Schedule II controlled substances, Oxycontin and Endocet and the Schedule III controlled substance, Vicodin ES. Clark called in and/or presented unauthorized prescriptions in her or her daughter's name to various pharmacies in the Pittsburgh area, which were then billed to her insurance with UPMC. On December 7, 2009, in the first case, Kimberly Clark was sentenced to serve 11 ½ to 23 months incarceration and a consecutive 5 years of probation and was ordered to pay restitution of \$5,605.42 and all court costs. In the second case, Clark was sentenced to serve a concurrent 11 ½ to 23 months incarceration and a concurrent 5 years of probation and was ordered to pay restitution of \$3,395.73 and all court costs.

- Troy Pick pled guilty to one count of Insurance Fraud (F3) in Montgomery County. Pick was involved in a three vehicle accident on the Pennsylvania Turnpike. Following the accident, Pick added collision coverage to his insurance policy with the Progressive Insurance Company. Four days later, Pick made a claim to Progressive, misrepresenting the date of the accident to have occurred after he had obtained the coverage. On December 31, 2009, Troy Pick was sentenced to serve 9 to 23 months incarceration to run concurrent with his federal sentence he is currently serving.
- Timothy Galford was found guilty of two counts of Insurance Fraud (F3) and one count of Theft by Deception (F3) in Crawford County. Galford falsely reported to the Progressive Insurance Company that another individual was operating Galford's vehicle when it collided with a deer. At the time of the accident, Galford was an excluded

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driver under the policy. Galford's ex-wife filed a claim with Progressive. Our investigation revealed that Galford was operating the truck when he intentionally drove it into a tree in order to get out from under the monthly payments on the truck. On December 11, 2009, Timothy Galford was sentenced to serve 5 to 24 months less 1 day incarceration and was ordered to serve consecutive 4 years probation and to pay restitution of \$20,070.45 and all court costs.

- Kenneth Thompson and Gregory Charlton pled guilty to two counts of Insurance Fraud (F3) in Delaware County. Thompson and Charlton, passengers in a vehicle involved in a two vehicle accident, made false statements to multiple insurance companies that another individual was in the vehicle when it was established that she was not in the vehicle at the time of the accident. On December 14, 2009, Kenneth Thompson was sentenced to serve 3 years probation and ordered to pay all court costs and on December 16, 2009, Gregory Charlton was sentenced to time served to 23 months incarceration and ordered to pay all court costs.
- Mark Powell pled guilty to one count of Insurance Fraud (F3) in Bucks County. Powell made five auto claims to the Liberty Mutual Insurance Company for damage to his car from four separate incidents supposedly occurring in August, September, October and November of 2008. Photographs of Powell's car taken in connection with each claim revealed that the damage from each incident was the same. Powell admitted that the September, October, and November incidents did not occur. Liberty Mutual paid Powell \$3,620.45 in connection with his claims for August, September and October, but denied his claim for damages in November. On December 2, 2009, Mark Powell was sentenced to serve 2 years probation and ordered to perform 100 hours of community service and to pay restitution of \$3,620.45 and all court costs.
- William Hillman pled guilty to one count of Insurance Fraud (F3) in Beaver County. Hillman reported to the Nationwide Insurance Company that his vehicle had

been involved in an automobile accident on December 15, 2008, at 3:00 p.m., after he had reinstated his previously lapsed coverage. Our investigation revealed that the accident actually occurred at 2:00 p.m., prior to the time that the coverage was reinstated. On December 9, 2009, William Hillman was sentenced to serve 2 years probation and ordered to pay a fine of \$1,000 and all court costs.

- Bernard Holmes pled guilty to one count of Insurance Fraud (F3) in Montgomery County. Holmes filed a fraudulent auto accident claim with the Allstate Insurance Company in which he misrepresented the date of an accident involving his SUV and three (3) other vehicles. During a recorded telephone interview, Holmes told Allstate that the crash happened on August 27, 2008, when the crash actually occurred in July, prior to the policy inception date. On December 16, 2009, Bernard Holmes was sentenced to serve 119 days incarceration, 2 years probation and ordered to pay all costs of his extradition and all court costs.
- Darlene Revers pled guilty to one count of Criminal Attempt/Theft by Deception (M1) in Westmoreland County. Revers filed a fraudulent claim with the Allstate Insurance Company for kitchen cabinets, stain glass windows and numerous tools which were purportedly taken from a barn on her property. The cabinets were not purchased from the store indicated on the receipt submitted and the windows and tools were located in the barn. On December 17, 2009, Darlene Revers was sentenced to serve 23 months restrictive intermediate punishment with the first 2 months to be served on house arrest and ordered to pay all court costs.

### (ARD) DISPOSITIONS

During the month of December, one additional defendant received Accelerated Rehabilitative Disposition (ARD). Defendants receiving ARD are typically sentenced to serve 2 years probation and ordered to perform 50 hours of community service, pay full restitution and all ARD and court costs.